

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

CASE NO. 1:97-CR-82

v.

HON. ROBERT HOLMES BELL

DARRICK FLOWERS,

Defendant.

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MEMORANDUM OPINION AND ORDER

This matter is before the Court on defendant's Motion for Modification or Reduction of Sentence Pursuant to 18 U.S.C. §3582(c)(2) (docket #1264). The Probation Department's Report of Eligibility indicates defendant appears to be ineligible for consideration of a modification of sentence.

Defendant was sentenced on May 1, 1998 for criminal activity involving 50 kilograms of cocaine base, crack cocaine. The retroactive amendment makes no change in the guideline for cases involving over 8.4 kilograms of crack cocaine.

ACCORDINGLY, defendant's motion for modification is **DENIED**.

Date: October 4, 2012

/s/ Robert Holmes Bell
ROBERT HOLMES BELL
UNITED STATES DISTRICT JUDGE